

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

CHEFS DIET ACQUISITION CORP. d/b/a  
CHEFS DIET,

Plaintiff,

CASE NO: 14-CV-8467 (JMF)

v.

LEAN CHEFS, LLC, NICHOLAS ZAZZA and  
ARTHUR GUNNING,

Defendants.

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**DECLARATION OF FRANCES H. STEPHENSON IN SUPPORT OF  
DEFENDANTS' DAUBERT MOTION**

I, Frances H. Stephenson, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an associate attorney of Meredith & Keyhani, PLLC, attorneys for Defendants. I respectfully submit this declaration in support of the Daubert motion of Defendants Lean Chefs, LLC, Nicholas Zazza, and Arthur Gunning, to exclude the testimony and report of Mario Perez.

2. Attached as Exhibit 1 is a true and correct copy of the report of Mario Perez, dated September 30, 2015 ("Perez Report").

3. Attached as Exhibit 2 is a true and correct copy of the declaration of Lisa Zazza, dated February 19, 2016.

4. Attached as Exhibit 3 is a true and correct copy of the report of Dennis M. Guiffre, dated November 12, 2015 .

5. Attached as Exhibit 4 is a true and correct copy of the declaration of Bruce F. Webster, dated February 19, 2016.

6. Attached as Exhibit 5 is a true and correct copy of the deposition transcript of Joseph Maniscalco, dated November 25, 2014.

7. Attached as Exhibit 6 is a true and correct copy of the Second Amended and Restated Asset Purchase Agreement between Plaintiff and Chefs Diet Delivery LLC, Z.C.C.A. Corp., and Kosher Chefs Diet Corp., dated March 18, 2009.

Dated: February 22, 2016

MEREDITH & KEYHANI, PLLC

By: /s/ Frances H. Stephenson  
FRANCES H. STEPHENSON  
125 Park Ave, 25th Floor  
New York, New York 10017  
Direct Dial: (212) 380-1325  
Facsimile: (212) 202-3819  
dkeyhani@meredithkeyhani.com